

7 FAM 120 EMERGENCY FAMILY MESSAGES

*(CT:CON-484; 09-13-2013)
(Office of Origin: CA/OCS/L)*

7 FAM 121 SUMMARY

(CT:CON-484; 09-13-2013)

In an era of cellular phones, email and Internet cafes, the consular function of relaying emergency family messages regarding deaths in the family or serious illness or injury arises less frequently. Nevertheless, it is still an important consular function. Too often, families do not have a specific itinerary for a relative traveling abroad, and your skill in trying to locate the citizen or national may be the family's only hope of reaching the loved one in a timely manner. You should handle reasonable requests thoughtfully and expeditiously insofar as local conditions permit. The *Smart Traveler Enrollment Program (STEP)* (see 7 FAM 040) may be a useful tool for you in trying to locate individuals in these circumstances.

7 FAM 122 OBTAINING INFORMATION FROM THE FAMILY

(CT:CON-101; 02-10-2005)

You may receive requests to pass emergency messages directly from a U.S. citizen/U.S. non-citizen national in the United States or abroad, an interested Congressional office, another Foreign Service post, or the Department. You should take the following actions:

- (1) Obtain the following information:
 - (a) Caller's full name, address, phone number, email if available, and relationship;
 - (b) Name, date and place of birth of the person abroad;
 - (c) Passport number of person abroad;
 - (d) Last known address, itinerary (including airline and flight number if known/applicable), and phone number of person abroad;
 - (e) Reason for travel/residence abroad;
 - (f) Date of last contact;

UNCLASSIFIED (U)

U.S. Department of State Foreign Affairs Manual Volume 7
Consular Affairs

- (g) Other points of contact abroad;
- (h) If ill, where hospitalized and, if relevant to current hospitalization, the name and phone number of attending physician in the U.S.; and
- (i) In cases of a family emergency:

Nature of the emergency

What the caller wants you to tell about the emergency when you locate the person abroad;

Name, address, telephone number, and relationship of the person whom the person abroad should call after you relay the message

- (2) Evaluate the information above to determine the most likely method of locating the intended recipient and delivering the message directly. Do not rely on local mail to deliver your message.
- (3) If the information you obtain is not complete but you have an itinerary, you may locate the person indirectly by leaving a message at one or several hotels, hostels, ashrams, etc at which this person would likely stay. You could ask immigration or customs officials to convey a message at likely border crossings.
- (4) If the person abroad has left your district for another, you should pass that information along with the identifying information that you received to the appropriate post for its action, with an information copy sent to the Department.
- (5) If you locate the person and deliver the message, anticipate that you may also need to help the U.S. citizen or national return quickly to the United States or respond to the message.
- (6) Request a signed Privacy Act waiver from the person to whom you have delivered the message.

7 FAM 123 REPORTING ON EMERGENCY MESSAGES

(CT:CON-101; 02-10-2005)

- a. In most, if not all, emergency message cases that the Department refers to a post for action, the post will also receive instructions on how to notify the inquirer of the results of the search.
- b. If you receive instructions to respond to the U.S. citizen or national directly, include only the minimum agreed to between the inquirer in the United States and the consular officer to whom he or she made the request (either at post or in CA/OCS/ACS). e.g., in a case involving the death of a family member in the United States, you generally will be instructed to advise the individual that the

UNCLASSIFIED (U)

U.S. Department of State Foreign Affairs Manual Volume 7
Consular Affairs

family has asked that he or she call home.

- c. If you receive instructions to reply to the Department, you must provide full details regarding the search efforts and results.

7 FAM 124 PRIVACY ACT CONSIDERATIONS

(CT:CON-431; 01-08-2013)

- a. The Privacy Act of 1974 (5 U.S.C. 552a; Public Law 93-579), with certain exceptions, prohibits consular officers from releasing any information from name-retrievable agency files without the prior written consent of the individual in question. See 7 FAM chapter 010 - 090 general Privacy Act guidance. Consular officers should observe the restrictions of the Privacy Act when notifying the inquirer of the results of the search. For example:
 - (1) If the subject of the search has left your consular district, you should not report to the inquirer the person's next destination, without a Privacy Act waiver; and
 - (2) You should provide the subject's whereabouts to neighboring posts, permitting them to continue the search, copying the Department on such messages.
- b. You may provide certain information without a Privacy Act waiver to the inquirer. For example:
 - (1) You may tell the inquirer that the post has no information indicating that the subject of the search is currently in your consular district and has no contact information for the subject;
 - (2) You may say that a careful search failed to reveal any information that the subject of the search is or was in the consular district;
 - (3) You may say that while you have been unable to locate the individual, there are no reports of any hospitalization, death or arrest of a U.S. citizen or national or person fitting the individual's description;
 - (4) You may say that you relayed the message, but the individual declined to execute a Privacy Act waiver, consequently you are unable to provide any further information. This does not reveal information about the individual's exact whereabouts to the inquirer, but may allay the caller's fears or anxiety somewhat;
 - (5) If there is any indication that the subject of the inquiry may be suffering from a physical or mental illness or that the individual is otherwise incapacitated, it may be appropriate to invoke the health and safety exception to the Privacy Act, which requires that notification of any disclosure be transmitted to the last known address of the subject. Depending on the circumstances, it may also be appropriate to rely on the Department's Statement of Routine Uses in STATE-05 authorizing

UNCLASSIFIED (U)

U.S. Department of State Foreign Affairs Manual Volume 7
Consular Affairs

disclosure to immediate family members "when the information is required for the benefit of the subject by the immediate family"; and

- (6) See 7 FAM 010 - 090 Privacy Act guidance and 7 FAM 300 regarding cases involving mental illness.

Privacy Act ...

Privacy Act feature on the Department of State Internet page.

Privacy Act feature on the Department of Justice Internet page.

Department of State's Statement of Routine Uses State-05.

5 U.S.C. 552a(b)(8) (health or safety of an individual)

"To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual."

- c. A post that has questions concerning what is permissible under the Privacy Act in any situation should contact the Department (CA/OCS/L) for guidance at ASK-OCS-L@state.gov.

7 FAM 125 THROUGH 129 UNASSIGNED